

**72-3-105. Class D roads -- Maps to be prepared by county -- Indication of roads.**

(1) As used in this section, "class D road" means any road, way, or other land surface route that has been or is established by use or constructed and has been maintained to provide for usage by the public for vehicles with four or more wheels that is not a class A, class B, or class C road under this title.

(2) Each class D road is part of the highway and road system within the state with the same force and effect as if the class D road had been included within this system upon its being first established or constructed.

(3) The state and county have joint undivided interest in the title to all rights-of-way for class D roads.

(4) The county governing body exercises sole jurisdiction and control of class D roads within the county.

(5) Each county shall prepare maps showing to the best of its ability the class D roads within its boundaries which were in existence as of October 21, 1976. Preparation of these maps may be done by the county itself or through any multi-county planning district in which the county participates.

(6) Any class D road which is established or constructed after October 21, 1976, shall be reflected on maps prepared as provided in Subsection (5).

(7) The county shall provide a copy of any map under Subsection (5) or (6) upon completion to the department.

(8) The department shall scribe each road shown on its own county map series. The department is not responsible for the validity of any class D road and is not responsible for its being inventoried. The department shall also keep on file an historical map record of the roads as provided by the counties.

Amended by Chapter 324, 2000 General Session